

Effective September 1, 2015.

**CERTAIN CRIMINAL AND CIVIL CONSEQUENCES OF
TRAFFICKING OF PERSONS, COMPELLING PROSTITUTION,
AND CERTAIN OTHER RELATED CRIMINAL OFFENSES; TO
THE PREVENTION, PROSECUTION, AND PUNISHMENT OF
THOSE OFFENSES, AND TO COMPENSATION PAID TO
VICTIMS OF THOSE OFFENSES**

CHAPTER 332

H.B. No. 10

AN ACT

relating to certain criminal and civil consequences of trafficking of persons, compelling prostitution, and certain other related criminal offenses; to the prevention, prosecution, and punishment of those offenses, and to compensation paid to victims of those offenses.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 12.01, Code of Criminal Procedure, is amended to read as follows:

Art. 12.01. **FELONIES.** Except as provided in Article 12.03, felony indictments may be presented within these limits, and not afterward:

- (1) no limitation:
- (A) murder and manslaughter;
- (B) sexual assault under Section 22.011(a)(2), Penal Code, or aggravated sexual assault under Section 22.021(a)(1)(B), Penal Code;
- (C) sexual assault, if during the investigation of the offense biological matter is collected and subjected to forensic DNA testing and the testing results show that the matter does not match the victim or any other person whose identity is readily ascertained;
- (D) continuous sexual abuse of young child or children under Section 21.02, Penal Code;
- (E) indecency with a child under Section 21.11, Penal Code;
- (F) an offense involving leaving the scene of an accident under Section 550.021, Transportation Code, if the accident resulted in the death of a person;
- (G) trafficking of persons under Section 20A.02(a)(7) or (8), Penal Code; ~~or~~
- (H) continuous trafficking of persons under Section 20A.03, Penal Code; *or*
- (I) *compelling prostitution under Section 43.05(a)(2), Penal Code;*
- (2) ten years from the date of the commission of the offense:
- (A) theft of any estate, real, personal or mixed, by an executor, administrator, guardian or trustee, with intent to defraud any creditor, heir, legatee, ward, distributee, beneficiary or settlor of a trust interested in such estate;
- (B) theft by a public servant of government property over which he exercises control in his official capacity;
- (C) forgery or the uttering, using or passing of forged instruments;
- (D) injury to an elderly or disabled individual punishable as a felony of the first degree under Section 22.04, Penal Code;
- (E) sexual assault, except as provided by Subdivision (1);
- (F) arson;
- (G) trafficking of persons under Section 20A.02(a)(1), (2), (3), or (4), Penal Code; *or*

- (H) compelling prostitution under Section 43.05(a)(1), Penal Code;
- (3) seven years from the date of the commission of the offense:
 - (A) misapplication of fiduciary property or property of a financial institution;
 - (B) securing execution of document by deception;
 - (C) a felony violation under Chapter 162, Tax Code;
 - (D) false statement to obtain property or credit under Section 32.32, Penal Code;
 - (E) money laundering;
 - (F) credit card or debit card abuse under Section 32.31, Penal Code;
 - (G) fraudulent use or possession of identifying information under Section 32.51, Penal Code;
 - (H) Medicaid fraud under Section 35A.02, Penal Code; or
 - (I) bigamy under Section 25.01, Penal Code, except as provided by Subdivision (6);
- (4) five years from the date of the commission of the offense:
 - (A) theft or robbery;
 - (B) except as provided by Subdivision (5), kidnapping or burglary;
 - (C) injury to an elderly or disabled individual that is not punishable as a felony of the first degree under Section 22.04, Penal Code;
 - (D) abandoning or endangering a child; or
 - (E) insurance fraud;
- (5) if the investigation of the offense shows that the victim is younger than 17 years of age at the time the offense is committed, 20 years from the 18th birthday of the victim of one of the following offenses:
 - (A) sexual performance by a child under Section 43.25, Penal Code;
 - (B) aggravated kidnapping under Section 20.04(a)(4), Penal Code, if the defendant committed the offense with the intent to violate or abuse the victim sexually; or
 - (C) burglary under Section 30.02, Penal Code, if the offense is punishable under Subsection (d) of that section and the defendant committed the offense with the intent to commit an offense described by Subdivision (1)(B) or (D) of this article or Paragraph (B) of this subdivision;
- (6) ten years from the 18th birthday of the victim of the offense:
 - (A) trafficking of persons under Section 20A.02(a)(5) or (6), Penal Code;
 - (B) injury to a child under Section 22.04, Penal Code; or
 - (C) ~~compelling prostitution under Section 43.05(a)(2), Penal Code; or~~
 - ~~[(D)]~~ bigamy under Section 25.01, Penal Code, if the investigation of the offense shows that the person, other than the legal spouse of the defendant, whom the defendant marries or purports to marry or with whom the defendant lives under the appearance of being married is younger than 18 years of age at the time the offense is committed; or
- (7) three years from the date of the commission of the offense: all other felonies.

SECTION 2. Article 56.32(a)(14), Code of Criminal Procedure, is amended to read as follows:

(14) "Trafficking of persons" means any offense that results in a person engaging in forced labor or services, *including sexual conduct*, and that may be prosecuted under Section 20A.02, 20A.03, 43.03, 43.04, 43.05, 43.25, 43.251, or 43.26, Penal Code.

SECTION 3. Article 56.41, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1) Subsection (b)(3) does not apply to a claimant or victim who seeks compensation for criminally injurious conduct that is:

(1) *in violation of Section 20A.02(a)(7), Penal Code; or*

(2) *trafficking of persons, other than an offense described by Subdivision (1), if the criminally injurious conduct the claimant or victim participated in was the result of force, fraud, or coercion.*

SECTION 4. Article 56.45, Code of Criminal Procedure, is amended to read as follows:

Art. 56.45. DENIAL OR REDUCTION OF AWARD. (a) The attorney general may deny or reduce an award otherwise payable:

(1) if the claimant or victim has not substantially cooperated with an appropriate law enforcement agency;

(2) if the claimant or victim bears a share of the responsibility for the act or omission giving rise to the claim because of the claimant's or victim's behavior;

(3) to the extent that pecuniary loss is recouped from a collateral source; or

(4) if the claimant or victim was engaging in an activity that at the time of the criminally injurious conduct was prohibited by law or a rule made under law.

(b) *Subsection (a)(4) does not apply to a claimant or victim who seeks compensation for criminally injurious conduct that is:*

(1) *in violation of Section 20A.02(a)(7), Penal Code; or*

(2) *trafficking of persons, other than an offense described by Subdivision (1), if the activity the claimant or victim engaged in was the result of force, fraud, or coercion.*

SECTION 5. Article 62.001(5), Code of Criminal Procedure, is amended to read as follows:

(5) "Reportable conviction or adjudication" means a conviction or adjudication, including an adjudication of delinquent conduct or a deferred adjudication, that, regardless of the pendency of an appeal, is a conviction for or an adjudication for or based on:

(A) a violation of Section 21.02 (Continuous sexual abuse of young child or children), 21.11 (Indecency with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual assault), or 25.02 (Prohibited sexual conduct), Penal Code;

(B) a violation of Section 43.05 (Compelling prostitution), 43.25 (Sexual performance by a child), or 43.26 (Possession or promotion of child pornography), Penal Code;

(B-1) *a violation of Section 43.02 (Prostitution), Penal Code, if the offense is punishable under Subsection (c)(3) of that section;*

(C) a violation of Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the actor committed the offense or engaged in the conduct with intent to violate or abuse the victim sexually;

(D) a violation of Section 30.02 (Burglary), Penal Code, if the offense or conduct is punishable under Subsection (d) of that section and the actor committed the offense or engaged in the conduct with intent to commit a felony listed in Paragraph (A) or (C);

(E) a violation of Section 20.02 (Unlawful restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping), Penal Code, if, as applicable:

(i) the judgment in the case contains an affirmative finding under Article 42.015; or

(ii) the order in the hearing or the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age;

(F) the second violation of Section 21.08 (Indecent exposure), Penal Code, but not if the second violation results in a deferred adjudication;

(G) an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense or engage in conduct listed in Paragraph (A), (B), (C), (D), (E), or (K);

(H) a violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (B-1), (C), (D), (E), (G), (J), or (K), but not if the violation results in a deferred adjudication;

(I) the second violation of the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for or based on the violation of an offense containing elements that are substantially similar to the elements of the offense of indecent exposure, but not if the second violation results in a deferred adjudication;

(J) a violation of Section 33.021 (Online solicitation of a minor), Penal Code; or

(K) a violation of Section 20A.02(a)(3), (4), (7), or (8) (Trafficking of persons), Penal Code.

SECTION 6. Section 38.004(a), Education Code, is amended to read as follows:

(a) The agency shall develop a policy governing the reports of child abuse or neglect, *including reports related to the trafficking of a child under Section 20A.02(a)(5), (6), (7), or (8), Penal Code, as required by Chapter 261, Family Code, for [ef] school districts, open-enrollment charter schools, and their employees.* The policy must provide for cooperation with law enforcement child abuse investigations without the consent of the child's parents if necessary, including investigations by the Department of Family and Protective Services. The policy must require each school district and open-enrollment charter school employee to report child abuse or neglect, *including the trafficking of a child under Section 20A.02(a)(5) or (7), Penal Code,* in the manner required by Chapter 261, Family Code. Each school district and open-enrollment charter school shall adopt the policy.

SECTION 7. Section 22.011, Government Code, is amended to read as follows:

Sec. 22.011. JUDICIAL INSTRUCTION RELATED TO FAMILY VIOLENCE, SEXUAL ASSAULT, *TRAFFICKING OF PERSONS*, AND CHILD ABUSE. (a) The supreme court shall provide judicial training related to the problems of family violence, sexual assault, *trafficking of persons*, and child abuse and to issues concerning sex offender characteristics.

(d) The instruction must include information about:

(1) statutory and case law relating to videotaping a child's testimony and relating to competency of children to testify;

(2) methods for eliminating the trauma to the child caused by the court process;

(3) case law, statutory law, and procedural rules relating to family violence, sexual assault, *trafficking of persons*, and child abuse;

(4) methods for providing protection for victims of family violence, sexual assault, *trafficking of persons*, or child abuse;

(5) available community and state resources for counseling and other aid to victims and to offenders;

(6) gender bias in the judicial process;

(7) dynamics and effects of being a victim of family violence, sexual assault, *trafficking of persons*, or child abuse; and

(8) issues concerning sex offender characteristics.

SECTION 8. The heading to Section 22.110, Government Code, is amended to read as follows:

Sec. 22.110. JUDICIAL INSTRUCTION RELATED TO FAMILY VIOLENCE, SEXUAL ASSAULT, *TRAFFICKING OF PERSONS*, AND CHILD ABUSE AND NEGLECT.

SECTION 9. Sections 22.110(a), (b), and (d), Government Code, are amended to read as follows:

(a) The court of criminal appeals shall assure that judicial training related to the problems of family violence, sexual assault, *trafficking of persons*, and child abuse and neglect is provided.

(b) The court of criminal appeals shall adopt the rules necessary to accomplish the purposes of this section. The rules must require each district judge, judge of a statutory

county court, associate judge appointed under Chapter 54A of this code or Chapter 201, Family Code, master, referee, and magistrate to complete at least 12 hours of the training within the judge's first term of office or the judicial officer's first four years of service and provide a method for certification of completion of that training. At least four hours of the training must be dedicated to issues related to *trafficking of persons* and child abuse and neglect and must cover at least two of the topics described in Subsections (d)(8)–(12). At least six hours of the training must be dedicated to the training described by Subsections (d)(5), (6), and (7). The rules must require each judge and judicial officer to complete an additional five hours of training during each additional term in office or four years of service. At least two hours of the additional training must be dedicated to issues related to *trafficking of persons* and child abuse and neglect. The rules must exempt from the training requirement of this subsection each judge or judicial officer who files an affidavit stating that the judge or judicial officer does not hear any cases involving family violence, sexual assault, *trafficking of persons*, or child abuse and neglect.

(d) The instruction must include information about:

(1) statutory and case law relating to videotaping a child's testimony and relating to competency of children to testify;

(2) methods for eliminating the trauma to the child caused by the court process;

(3) case law, statutory law, and procedural rules relating to family violence, sexual assault, *trafficking of persons*, and child abuse and neglect;

(4) methods for providing protection for victims of family violence, sexual assault, *trafficking of persons*, and child abuse and neglect;

(5) available community and state resources for counseling and other aid to victims and to offenders;

(6) gender bias in the judicial process;

(7) dynamics and effects of being a victim of family violence, sexual assault, *trafficking of persons*, or child abuse and neglect;

(8) dynamics of sexual abuse of children, including child abuse accommodation syndrome and grooming;

(9) impact of substance abuse on an unborn child and on a person's ability to care for a child;

(10) issues of attachment and bonding between children and caregivers;

(11) issues of child development that pertain to *trafficking of persons* and child abuse and neglect; and

(12) medical findings regarding physical abuse, sexual abuse, *trafficking of persons*, and child abuse and neglect.

SECTION 10. Section 402.035, Government Code, is amended by amending Subsections (c), (d), and (h) and adding Subsections (f–1) and (f–2) to read as follows:

(c) The task force is composed of the following:

(1) the governor or the governor's designee;

(2) the attorney general or the attorney general's designee;

(3) the executive commissioner of the Health and Human Services Commission or the executive commissioner's designee;

(4) the commissioner of the Department of Family and Protective Services or the commissioner's designee;

(5) the commissioner of the Department of State Health Services or the commissioner's designee;

(6) the public safety director of the Department of Public Safety or the director's designee;

(7) one representative from each of the following state agencies, appointed by the chief administrative officer of the respective agency:

- (A) the Texas Workforce Commission;
 - (B) the Texas Department of Criminal Justice;
 - (C) the Texas *Juvenile Justice Department* ~~[Youth Commission]~~;
 - (D) the Texas *Education Agency* ~~[Juvenile Probation Commission]~~; ~~and~~
 - (E) the Texas Alcoholic Beverage Commission; ~~and~~
 - (F) *the Texas Parks and Wildlife Department*; and
 - (G) *the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families*; and
- (8) as appointed by the attorney general:
- (A) a chief public defender employed by a public defender's office, as defined by Article 26.044(a), Code of Criminal Procedure, or an attorney designated by the chief public defender;
 - (B) an attorney representing the state;
 - (C) a representative of:
 - (i) a hotel and motel association;
 - (ii) a district and county attorneys association; and
 - (iii) a state police association;
 - (D) representatives of sheriff's departments;
 - (E) representatives of local law enforcement agencies affected by human trafficking; and
 - (F) representatives of nongovernmental entities making comprehensive efforts to combat human trafficking by:
 - (i) identifying human trafficking victims;
 - (ii) providing legal or other services to human trafficking victims;
 - (iii) participating in community outreach or public awareness efforts regarding human trafficking;
 - (iv) providing or developing training regarding the prevention of human trafficking; or
 - (v) engaging in other activities designed to prevent human trafficking.
- (d) The task force shall:
- (1) collaborate, as needed to fulfill the duties of the task force, with:
 - (A) United States *Attorneys' Offices* ~~[attorneys]~~ for all of the federal districts of Texas; and
 - (B) special agents or customs and border protection officers and border patrol agents of:
 - (i) the Federal Bureau of Investigation;
 - (ii) the United States Drug Enforcement Administration;
 - (iii) the Bureau of Alcohol, Tobacco, Firearms and Explosives;
 - (iv) United States Immigration and Customs Enforcement; or
 - (v) the United States Department of Homeland Security;
 - (2) collect, organize, and periodically publish statistical data on the nature and extent of human trafficking in this state, including data described by Subdivisions (4)(A), (B), (C), (D), and (E);
 - (3) solicit cooperation and assistance from state and local governmental agencies, political subdivisions of the state, nongovernmental organizations, and other persons, as appropriate, for the purpose of collecting and organizing statistical data under Subdivision (2);

(4) ensure that each state or local governmental agency and political subdivision of the state and each state or local law enforcement agency, district attorney, or county attorney that assists in the prevention of human trafficking collects statistical data related to human trafficking, including, as appropriate:

(A) the number of investigations concerning, arrests and prosecutions for, and convictions of:

(i) the offense of trafficking of persons; and

(ii) the offense of forgery or an offense under Chapter 43, Penal Code, if committed as part of a criminal episode involving the trafficking of persons;

(B) demographic information on persons who are convicted of offenses described by Paragraph (A) and persons who are the victims of those offenses;

(C) geographic routes by which human trafficking victims are trafficked, including routes by which victims are trafficked across this state's international border, and geographic patterns in human trafficking, including the country or state of origin and the country or state of destination;

(D) means of transportation and methods used by persons who engage in trafficking to transport their victims; and

(E) social and economic factors that create a demand for the labor or services that victims of human trafficking are forced to provide;

(5) work with the Texas Commission on Law Enforcement [~~Officer Standards and Education~~] to develop and conduct training for law enforcement personnel, victim service providers, and medical service providers to identify victims of human trafficking;

(6) work with the Texas Education Agency, the Department of Family and Protective Services, and the Health and Human Services Commission to:

(A) develop a list of key indicators that a person is a victim of human trafficking;

(B) develop a standardized curriculum for training doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;

(C) train doctors, nurses, emergency medical services personnel, teachers, school counselors, school administrators, and personnel from the Department of Family and Protective Services and the Health and Human Services Commission to identify and assist victims of human trafficking;

(D) develop and conduct training for personnel from the Department of Family and Protective Services and the Health and Human Services Commission on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking; and

(E) develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate entities for services;

(7) on the request of a judge of a county court, county court at law, or district court or a county attorney, district attorney, or criminal district attorney, assist and train the judge or the judge's staff or the attorney or the attorney's staff in the recognition and prevention of human trafficking;

(8) examine training protocols related to human trafficking issues, as developed and implemented by federal, state, and local law enforcement agencies;

(9) collaborate with state and local governmental agencies, political subdivisions of the state, and nongovernmental organizations to implement a media awareness campaign in communities affected by human trafficking;

(10) develop recommendations on how to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims, *curb markets and other economic avenues that facilitate human trafficking* and investigate and prosecute human trafficking offenders; ~~and~~

(11) examine the extent to which human trafficking is associated with the operation of sexually oriented businesses, as defined by Section 243.002, Local Government Code, and the workplace or public health concerns that are created by the association of human trafficking and the operation of sexually oriented businesses; and

(12) identify and report to the governor and legislature on laws, licensure requirements, or other regulations that can be passed at the state and local level to curb trafficking using the Internet and in sexually oriented businesses.

(f-1) The following state agencies shall designate an individual who is authorized to coordinate the agency's resources to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims, and investigate and prosecute human trafficking offenders:

- (1) the Texas Alcoholic Beverage Commission;
- (2) the Department of Family and Protective Services;
- (3) the Department of Public Safety;
- (4) the Department of State Health Services;
- (5) the Health and Human Services Commission;
- (6) the Texas Juvenile Justice Department;
- (7) the office of the attorney general; and
- (8) the office of the governor.

(f-2) Each state agency shall provide to the task force the name of the individual designated under Subsection (f-1).

(h) This section expires September 1, 2017 [2015].

SECTION 11. Chapter 772, Government Code, is amended by adding Section 772.0062 to read as follows:

Sec. 772.0062. **CHILD SEX TRAFFICKING PREVENTION UNIT.** (a) In this section:

(1) "Child sex trafficking" means conduct prohibited under Section 20A.02(a)(7) or (8), Penal Code.

(2) "Unit" means the Child Sex Trafficking Prevention Unit.

(b) The governor shall establish the Child Sex Trafficking Prevention Unit within the criminal justice division established under Section 772.006.

(c) The governor shall appoint a director for the unit to serve at the pleasure of the governor.

(d) The unit shall:

(1) assist the following agencies in leveraging and coordinating state resources directed toward child sex trafficking prevention:

- (A) the office of the attorney general;
- (B) the Health and Human Services Commission;
- (C) the Department of Family and Protective Services;
- (D) the Texas Juvenile Justice Department;
- (E) the Department of State Health Services;
- (F) the Texas Alcoholic Beverage Commission; and
- (G) the Department of Public Safety;

(2) facilitate collaborative efforts among the agencies under Subdivision (1) to:

- (A) prevent child sex trafficking;
- (B) recover victims of child sex trafficking; and
- (C) place victims of child sex trafficking in suitable short-term and long-term housing;

(3) collect and analyze research and information in all areas related to child sex trafficking, and distribute the research, information, and analyses to the agencies and to relevant nonprofit organizations;

(4) refer victims of child sex trafficking to available rehabilitation programs and other resources;

(5) provide support for child sex trafficking prosecutions; and

(6) develop recommendations for improving state efforts to prevent child sex trafficking, to be submitted to the legislature as part of the criminal justice division's biennial report required under Section 772.006(a)(9).

SECTION 12. Section 20A.03(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if, during a period that is 30 or more days in duration, the person engages two or more times in conduct that constitutes an offense under Section 20A.02 against one or more victims.

SECTION 13. Chapter 20A, Penal Code, is amended by adding Section 20A.04 to read as follows:

Sec. 20A.04. ACCOMPLICE WITNESS; TESTIMONY AND IMMUNITY. (a) A party to an offense under this chapter may be required to provide evidence or testify about the offense.

(b) A party to an offense under this chapter may not be prosecuted for any offense about which the party is required to provide evidence or testify, and the evidence and testimony may not be used against the party in any adjudicatory proceeding except a prosecution for aggravated perjury. For purposes of this subsection, "adjudicatory proceeding" means a proceeding before a court or any other agency of government in which the legal rights, powers, duties, or privileges of specified parties are determined.

(c) A conviction under this chapter may be had on the uncorroborated testimony of a party to the offense.

SECTION 14. Section 43.02(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a Class B misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the actor has previously been convicted one or two times of an offense under this section;

(2) a state jail felony if the actor has previously been convicted three or more times of an offense under this section; or

(3) a felony of the second degree if the person solicited is:

(A) younger than 18 years of age, regardless of whether the actor knows the age of the person solicited at the time the actor commits the offense;

(B) represented to the actor as being younger than 18 years of age; or

(C) believed by the actor to be younger than 18 years of age.

SECTION 15. The change in law made by this Act to Article 12.01, Code of Criminal Procedure, does not apply to an offense if the prosecution of that offense becomes barred by limitation before the effective date of this Act. The prosecution of that offense remains barred as if this Act had not taken effect.

SECTION 16. The changes in law made by this Act to Chapter 56, Code of Criminal Procedure, apply only to a criminal offense committed or a violation that occurs on or after the effective date of this Act. A criminal offense committed or a violation that occurs before the effective date of this Act is governed by the law in effect on the date the offense was committed or the violation occurred, and the former law is continued in effect for that purpose. For purposes of this section, a criminal offense was committed or a violation occurred before the effective date of this Act if any element of the offense or violation occurred before that date.

SECTION 17. The changes in law made by this Act to Article 62.001(5), Code of Criminal Procedure, and Sections 20A.03 and 43.02, Penal Code, apply only to an of-

fense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 18. (a) Not later than December 1, 2015, the Supreme Court of Texas shall adopt the rules necessary to provide the training required under Section 22.011, Government Code, as amended by this Act.

(b) Not later than December 1, 2015, the Texas Court of Criminal Appeals shall adopt the rules necessary to provide the training required under Section 22.110, Government Code, as amended by this Act.

(c) Notwithstanding Section 22.110, Government Code, as amended by this Act, a judge, master, referee, and magistrate who is in office on the effective date of this Act must complete the training required by Section 22.110, Government Code, as amended by this Act, as applicable, not later than December 1, 2017.

SECTION 19. The change in law made by this Act in adding Section 20A.04, Penal Code, applies to a criminal proceeding that commences on or after the effective date of this Act. A criminal proceeding that commences before the effective date of this Act is covered by the law in effect when the proceeding commenced, and the former law is continued in effect for that purpose.

SECTION 20. This Act takes effect September 1, 2015.

Passed by the House on March 17, 2015: Yeas 145, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 10 on May 26, 2015: Yeas 146, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2015: Yeas 31, Nays 0.

Approved June 9, 2015.

Effective September 1, 2015.

**POWERS AND DUTIES OF THE TEXAS DEPARTMENT OF
PUBLIC SAFETY, MILITARY AND LAW ENFORCEMENT
TRAINING, AND THE INVESTIGATION, PROSECUTION,
PUNISHMENT, AND PREVENTION OF CERTAIN OFFENSES;
CREATING AN OFFENSE AND INCREASING A CRIMINAL
PENALTY; AUTHORIZING FEES**

CHAPTER 333

H.B. No. 11

AN ACT

relating to the powers and duties of the Texas Department of Public Safety, military and law enforcement training, and the investigation, prosecution, punishment, and prevention of certain offenses; creating an offense and increasing a criminal penalty; authorizing fees.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 2.12, Code of Criminal Procedure, is amended to read as follows:

Art. 2.12. **WHO ARE PEACE OFFICERS.** The following are peace officers:

- (1) sheriffs, their deputies, and those reserve deputies who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (2) constables, deputy constables, and those reserve deputy constables who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;